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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 16 July to 15 October 2013.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues constructive and intensive engagements with Pristina and Belgrade, the communities in Kosovo, and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the Security Council presidential statement of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes continue to work closely with the Mission.

II. Key political developments

3. The implementation of the "First agreement on principles governing the normalization of relations" reached between Belgrade and Pristina on 19 April 2003 continued to move forward, despite occasional differences in interpretation. The European Union-facilitated high-level meetings in Brussels remained the central platform for bridging major differences, while discussions at the technical level continued in bilateral working groups.

4. Four high-level meetings between Serbian Prime Minister Ivica Dačić and Kosovo Prime Minister Hashim Thaçi were held in Brussels during the reporting period, on 31 July, 27 August, 8 September and 7 October. These meetings were dedicated to, inter alia, achieving agreement on the issues relating to the conduct of Kosovo municipal elections scheduled for 3 November. The two sides reached understanding on the operational role of OSCE in facilitating the elections in northern Kosovo and on issues relating to voting by eligible displaced persons,

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admissible identification documents, election materials, voter lists and the registration and certification of political entities.

5. The preparation for the elections has faced a number of political and procedural challenges, which have been managed and resolved through continuous negotiations. These concerned, in particular, the design of registration and voting material, the registration of out-of-Kosovo voters, and Kosovo Serb representation in Kosovo's Central Election Commission. The Serbian leadership has committed its strong support for participation by Kosovo Serbs in the upcoming elections and has been playing an active role to that effect.

6. By the end of the registration period on 4 September, a total of 103 political entities, including 19 in northern Kosovo, applied and were certified by the Central Election Commission. The elections campaign period began on 3 October. The day before, the Kosovo authorities issued a decision to cease visits by Serbian officials to Kosovo during the campaign period, which led to protests by the Government of Serbia. The issue was subsequently resolved during the high-level meeting convened by the European Union High Representative for Foreign Affairs and Security Policy, Catherine Ashton, on 7 October in Brussels.

7. During the 8 September round of talks in Brussels, Pristina and Belgrade reached agreements on telecommunications and energy. These agreements covered, inter alia, the future establishment of international dialling codes and the authorized registration of telecommunications and energy companies operating in Kosovo. It was also agreed that some longer-term issues relating to cooperation in the energy sphere would be handled at a later stage.

8. Progress, although at times difficult, has also been achieved in other key areas of the 19 April agreement, including the police and the judiciary. On 25 July, one Kosovo Albanian and five Kosovo Serb senior officers were appointed to command positions in the new Kosovo Police Regional Command Team North in northern Kosovo. New traffic and investigation units in northern Kosovo are already operational. Negotiations are ongoing to resolve procedural and practical issues relating to the transfer of Serbian police officers to the Kosovo police, as agreed in the framework of the 19 April agreement.

9. In the area of justice, detailed negotiations on the transfer of judicial personnel and on the future court structure in northern Kosovo have proceeded more slowly, but are continuing. On 1 September, the Serbian Ministry of Justice extended its earlier decision to suspend its activities in northern Kosovo pending agreements on the outstanding issues.

10. Opposition members of the Assembly of Kosovo launched a challenge in Kosovo's Constitutional Court to the passage of draft laws prepared in relation to the 19 April agreement, namely the Law on Ratification of the First International Agreement on Principles Governing the Normalization of Relations, the Law on Amnesty and the Law on the Kosovo Budget for 2013, causing some delays in the implementation process. On 2 September, the Constitutional Court ruled these laws to be in accordance with the Kosovo Constitution, with the exception of a number of articles in the Law on Amnesty, which were subsequently removed from the draft. All three laws were signed into force by the President of Kosovo. Two additional draft laws foreseen in the 19 April agreement, namely, a draft law on local self-

government and a draft law on the rights of communities, are under consideration in the Assembly of Kosovo and expected to be passed before the end of 2013.

11. In early September, a trade dispute broke out between Kosovo and its largest trading partner, the former Yugoslav Republic of Macedonia, leading, inter alia, to a week-long blockade of all cross-border traffic. Following intensive bilateral negotiations and diplomatic outreach to both sides, the blockade was lifted and cross-border movement returned to normal on 14 September.

III. Northern Kosovo

12. In northern Kosovo, political tension and uncertainty continued to prevail in view of the continued scepticism of local Kosovo Serbs regarding the 19 April agreement and their participation in the upcoming municipal elections. Despite efforts by the Government of Serbia to build local confidence in support of the elections, many northern Kosovo Serb political and community leaders continued to express doubt or simply reject the 19 April agreement and the elections. Public campaigns against participation in the Kosovo local elections were also conducted in the northern Kosovo municipalities.

13. On 10 September, the Government of Serbia dissolved all four existing municipal administrations in northern Kosovo and replaced them with five-member interim municipal councils tasked with administering the municipalities until the conclusion of the 3 November elections. This action was widely seen in the context of Belgrade's efforts to build local political support for the elections and ensure implementation of the 19 April agreement. The removed municipal leaders protested, questioning the legal basis of the decision, but peacefully handed authority over to the appointed interim municipal councils.

14. Some northern Kosovo Serb political leaders also continued to express their opposition to the 19 April agreement by supporting the self-styled Provisional Assembly of the Autonomous Province of Kosovo and Metohija, consisting of local representatives of both the Serbian opposition and ruling political parties. During its meeting held on 16 August, the Provisional Assembly reaffirmed its stance against the 19 April agreement, called for a boycott of the upcoming elections, and appealed for support from the Parliament in Serbia. On 25 September, several hundred people attended a peaceful anti-elections rally held in northern Mitrovica. Another rally, attended by a smaller number of people, was held on 10 October, also in northern Mitrovica. On 14 October, in northern Mitrovica, an explosion resulted in minor injuries to a member of the Kosovo Serb party SLS (the Independent Liberal Party, which is part of the ruling coalition in Pristina) who had withdrawn a few days earlier from the election campaign. The explosion caused material damage to the victim's apartment.

15. The atmosphere of uncertainty in northern Kosovo was further exacerbated by socioeconomic concerns about reports of future reductions in public sector jobs. In July, some of the employees of the Serbian Chamber of Commerce organized several protests and established temporary roadblocks, demanding timely payment of salaries. During August, several hundred labour union activists held protests against cuts in temporary financial compensation provided by Belgrade since 2003 and temporarily blocked traffic at Jarinje/Jarinjë, near the administrative boundary

crossing at gate 1. The protest was disbanded following mediation efforts by Serbia's Government Office for Kosovo and Metohija.

16. With the inclusion of southern Mitrovica, a total of 22 political entities, eight Kosovo Serb, eight Kosovo Albanian, two Bosniak, two Ashkali, one Turkish and one Montenegrin, have registered to contest the local elections in the five municipalities in northern Kosovo. A Kosovo Serb "Civic Initiative Srpska", supported by the ruling coalition in Serbia, has fielded candidates in 25 municipalities across Kosovo. The ruling political parties in Serbia have urged strong Kosovo Serb participation in the elections and are actively campaigning throughout Kosovo.

17. The UNMIK Administration Mitrovica continued its monitoring, mediation and facilitation roles, as part of the sustained effort by UNMIK to support institutional and political progress in the region. It focused in particular on facilitating contacts between public utility companies north and south of the Ibër/Ibar River and meetings among civil society groups representing various ethnic groups in northern and southern Mitrovica.

18. Additionally, my Special Representative has continued to invest substantial efforts in northern Kosovo by regularly engaging with all relevant stakeholders, both through meetings and public statements, in order to enhance constructive dialogue. The UNMIK Regional Office in Mitrovica has worked intensively to help to establish positive relations among communities in all the northern municipalities and ensure that the progress in the political dialogue is reinforced by stability on the ground.

IV. Security

19. The overall security situation in Kosovo remained generally calm, with occasional incidents reported in ethnically mixed areas. All sides appeared to demonstrate an increased commitment to prevent tensions on the ground to enable the high-level dialogue and implementation process to move forward.

20. On 19 September, EULEX suffered its first fatality caused by hostile action when its routine convoy en route to gate 1 in northern Kosovo came under automatic weapon fire near Ballaban/Balaban village in the Zveçan/Zvečan municipality. A EULEX customs officer succumbed to wounds sustained during the attack. The attack was condemned by both Belgrade and Pristina, northern Kosovo Serb leaders and international actors. A criminal investigation has been launched by EULEX with support from the Kosovo police and the Kosovo Special Prosecution Office. The Government of Serbia has also pledged its full support.

21. On 29 July, following the arrest by EULEX of two Kosovo Serbs at Rudare in the Zveçan/Zvečan municipality, a crowd of some 200 Kosovo Serbs blocked the main road and stoned two EULEX vehicles, causing minor injuries to two EULEX officers and damage to the vehicles. The roadblock was removed on 31 July following the release of one of the individuals arrested. On 20 September, in an ethnically mixed area of northern Mitrovica, a hand grenade exploded inside an uninhabited building, causing minor damage. A similar incident occurred in the predominantly Kosovo Serb municipality of Shtërpcë/Strpce on 29 September, when

a Kosovo Serb threw an explosive device in the vicinity of a local police station, causing minor material damage.

22. During the reporting period, a total of 76 incidents affecting the minority communities were reported as at 30 September, compared with 90 during the previous reporting period. Illegal woodcutting continued on a regular basis on both sides of the administrative boundary line. On 6 August, three Serbian citizens were arrested by Kosovo police in the Podujevë/Podujevo municipality, and a total of four Kosovo Albanians were arrested by the Serbian police, on 15 September near Gjilan/Gnjilane and on 26 September in the Podujevë/Podujevo municipality.

V. Rule of law

23. UNMIK continued to monitor activities and exercise some responsibilities in the area of the rule of law, as well as cooperate at the technical level with the Ministry of Justice and the Ministry of Internal Affairs of Kosovo and the Ministry of Justice of Serbia.

24. During the reporting period, UNMIK received six requests for mutual legal assistance from Serbia and other countries that have not recognized Kosovo. These requests were transmitted to the Kosovo Ministry of Justice through EULEX. The agreement on mutual legal assistance, reached between Serbia and Kosovo on 19 March 2013 within the framework of the implementation of the protocol on integrated border/boundary management, continued to be implemented. UNMIK also facilitated the issuance of seven Red Notices of the International Criminal Police Organization (INTERPOL) and regular communication between Kosovo and INTERPOL and its member States.

25. UNMIK continued to encourage and support efforts to resolve the fate of missing persons. On 30 August, the International Day of the Disappeared, Kosovo Albanian and Kosovo Serb representatives of the Association of Families of Missing and Kidnapped Persons held, for the first time, a joint press conference from Pristina and Belgrade. They urged officials on both sides to step up their efforts and cooperation. Since the deployment of EULEX in 2008, 407 field operations to collect data that could lead to exhumations have been carried out and the remains of 355 individuals have been returned to families. Of these, 267 were missing persons, while the rest relate to criminal cases or requests for confirmation of identity by families. There are an estimated 1,720 persons who are still missing as a result of the 1998-1999 conflict.

26. UNMIK continued to provide document certification services to Kosovo residents and non-recognizing States, primarily for the certification of civil status and pension documents. As in the previous reporting period, the volume of requests for pension-related certification services continued to increase following the issuance of the judgement of the European Court of Human Rights in the case of *Grudić v. Serbia* on 17 April 2012. The judgement requires Serbia to ensure the disbursement of pension and disability insurance payments. UNMIK also continues to provide certification of certain types of educational documents that fall outside the scope of the agreement on university diplomas reached by the parties in November 2011.

27. The Kosovo judiciary continued to face a large backlog of unresolved cases. As at August 2013, the Kosovo Judicial Council reported some 142,000 backlogged cases. According to data released by the relevant Kosovo authorities, similar problems continued to be faced in the prosecutorial system, including in the Department for the Prosecution of Serious Crimes, the General Department and the Department for Minors.

28. On 17 September, a panel of EULEX and Kosovo judges acquitted Fatmir Limaj, former Minister of Transport and Telecommunications, and nine other defendants, all former members of the Kosovo Liberation Army, who were accused of "war crimes against the civilian population and prisoners of war" at a makeshift detention camp in 1999 in the village of Kleçkë/Klečka in the Lipjan/Lipljan municipality. The prosecution stated that it was reviewing the decision and its right to appeal.

29. During the reporting period, the Assembly of Kosovo adopted several laws aimed at improving the rule of law standards. A notable development was the adoption of a new Law on International Legal Cooperation in Criminal Matters, which regulates the procedures for extradition of suspected persons and international legal cooperation.

VI. Returns and communities

30. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), as at September 2013, 569 Kosovo Serb displaced families had expressed a willingness to return to Kosovo from Serbia, along with 112 Kosovo Roma, Ashkali and Egyptian families from Montenegro and 45 Kosovo Roma, Ashkali and Egyptian families from the former Yugoslav Republic of Macedonia.

31. UNHCR also registered 90 individual voluntary minority returnees to Kosovo between July and September, including 25 Kosovo Serbs, 19 Kosovo Roma, Ashkali and Egyptians, 16 Kosovo Bosniaks, 2 Kosovo Gorani and 28 Kosovo Albanians. Between January and September, 313 individuals returned, compared with 693 reported during the same period in 2012.

32. UNHCR continued to monitor the repatriation process in order to identify and report gaps in the protection of the human rights of returnees, with a particular focus on minority communities, and provided assistance to 560 individuals during July, August and September in obtaining personal documentation and solving civil status issues.

33. The International Organization for Migration (IOM) continued to provide support to receiving communities, individual returnees and members of non-majority communities across Kosovo through the provision of business assets. IOM has supported, through the European Union-Community Stabilization Programme II, the implementation of 145 small business and community projects for displaced persons from minority communities through house construction, socioeconomic assistance packages, income generation, infrastructure projects and training.

34. UNMIK continued to liaise with the Ministry of the Interior, local authorities, community leaders and utility companies in order to facilitate the resolution of daily issues affecting communities, such as ensuring water and electricity supply.

35. In September, the OSCE High Commissioner on National Minorities and the Office of the Language Commissioner in Kosovo launched Albanian and Serbian language courses for municipal officials in 10 municipalities with a significant Albanian and Serbian population. The aim is to improve the language skills of local officials and to ensure compliance with the Law on the Use of Languages, under which both Albanian and Serbian are designated as Kosovo's official languages. The extension of such courses to the remaining municipalities is under consideration.

VII. Cultural and religious heritage

36. UNMIK continued to facilitate activities of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Kosovo. The restoration of the exterior of the Church of Dormition of the Theotokos in the Gračanica Monastery, funded by the Russian Federation, and of a Catholic cathedral in Prizren, funded by Albania, were completed during the reporting period. The restoration of four Ottoman-era fountains in the historic zone of Prizren, with financial support from Bulgaria, is still ongoing and the restoration of the Gazi Mehmet Pasha Hammam in Prizren, with financial support from Turkey, began in July. UNESCO, in coordination with UNMIK, will participate in a three-year project to restore the ruins of the medieval fortress in Novobërdë/Novo Brdo, which will be financed by the European Union. In addition, the Ministry of Culture, Youth and Sports continued the excavation works at the archaeological site in the village of Dresnik/Drsnik, where ancient Roman ruins were discovered earlier in 2013.

37. On 19 August, KFOR transferred the responsibility for primary security at the Patriarchate of Peć to the specialized Kosovo police unit for the protection of cultural and religious sites. The Visoki Dečani Monastery is now the only remaining Serbian Orthodox religious site under primary KFOR protection.

38. The formation of the seven-member Cultural Heritage Council in Prizren, stipulated by the Law on the Historic Centre of Prizren, was completed on 24 September. The establishment of the Council in Hoçë e Madhe/Velika Hoča continued to face delays owing to obstruction on the part of the local authorities of the implementation of the relevant decisions. Despite continued efforts by the Kosovo authorities and the international community, the Rahovec/Orahovac municipality has yet to begin implementing the Law on the Village of Hoçë e Madhe/Velika Hoča. On 17 September, as part of efforts to improve interfaith dialogue, representatives of the Islamic, Serbian Orthodox, Catholic, Protestant Evangelical, and Jewish communities took part in a conference, organized by the Ministry of Foreign Affairs of Kosovo and OSCE, to examine the role of religious leaders in fostering greater understanding among communities in Kosovo.

VIII. Human rights

39. UNMIK continued to work closely with the Council of Europe in the area of human rights. The Mission contributed comments to the Third Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities during the reporting period. The Opinion noted Kosovo's satisfactory legislative framework, while identifying shortfalls in resources, capacity and coordination as factors impeding a more effective implementation of the Framework Convention.

40. The same Opinion acknowledged the adoption by the Kosovo authorities of comprehensive policy documents aimed at promoting fuller social integration of Kosovo's Roma, Ashkali and Egyptian communities, and recommended enhancing coordination among public agencies, particularly in ensuring the language rights. A progress report on the implementation of the Kosovo Strategy and Action Plan for the Integration of Roma, Ashkali and Egyptian Communities (2009-2015), issued by the Office of the Prime Minister, also recommended increasing funding allocations from the central budget for this purpose. The United Nations Children's Fund (UNICEF) continued to support activities in connection with the implementation of the Strategy and Action Plan.

41. During the period under review, a new draft law on gender equality was included in the Kosovo legislative agenda. This followed an international expert review of the draft, which highlighted the need to improve and harmonize the existing legislation with the draft law on the ombudsperson and the draft law on anti-discrimination, which are also on the agenda of the Assembly of Kosovo for 2013.

42. The Kosovo authorities have also finalized an action plan on the implementation of Security Council resolution 1325 (2000), drafted by the Agency for Gender Equality with support from the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the stand-alone office in Kosovo of the Office of the United Nations High Commissioner for Human Rights (OHCHR). The action plan recommends, inter alia, a commitment by the Kosovo authorities to cover 51 per cent of the cost of the implementation of the plan.

43. On 5 September, UNICEF and the European Union Office in Kosovo launched the third phase of their joint project on supporting juvenile justice reforms in Kosovo, to be conducted from 2013 to 2016. The next phase aims to ensure that children involved in criminal, administrative and civil proceedings are provided with appropriate protection in line with the Convention on the Rights of the Child and relevant international standards.

44. During the reporting period, the Special Rapporteur on the human rights of internally displaced persons visited Kosovo. UNMIK cooperated with UNHCR and OHCHR in arranging the visit, which provided an opportunity to discuss progress made in the implementation of the recommendations resulting from the Special Rapporteur's previous visits to Kosovo in 2005 and 2009 and to examine challenges and opportunities for durable solutions for internally displaced persons.

IX. Observations

45. I commend both Belgrade and Pristina for their continued active engagement in the framework of the European Union-facilitated dialogue. I welcome the tangible progress achieved in the implementation of the "First agreement on principles governing the normalization of relations" of 19 April 2003, reached between Belgrade and Pristina, the subsequent implementation plan of 22 May, and other important areas of the dialogue, such as energy and telecommunications. In spite of many expected challenges, such progress has continued apace.

46. The numerous challenges that emerged in the process have been responded to by political leaders in both Belgrade and Pristina with vision and perseverance, resulting in further compromises and the forging of consensus, thereby sustaining

the forward momentum. It will be important for the parties to continue the implementation of the agreements faithfully, without reopening their provisions. The active engagement of the European Union, including the personal role of High Representative Catherine Ashton also continues to be essential. A brutal ambush on EULEX on 19 September, resulting in the tragic death of a EULEX customs officer, was the most serious incident in the reporting period and a disconcerting setback. All parties should closely cooperate with EULEX and Kosovo police in the ongoing investigation to ensure that the perpetrators are identified and brought to justice and make every effort to prevent the recurrence of such an incident.

47. The parties have made considerable progress in preparing for the local elections to be held on 3 November, including in northern Kosovo. OSCE has been playing an important facilitating role in this context. Differences and disagreements should continue to be resolved constructively to ensure peaceful and successful elections, with the full participation of all eligible voters. I join my Special Representative in calling upon all communities in Kosovo to exercise their democratic right during the elections and help to ensure that their legitimate interests are fully and effectively represented.

48. The success of the elections, especially in northern Kosovo, will be important for future consolidation of peace and stability, the prospects of continued political engagement in the European Union-facilitated dialogue and the implementation of the historic 19 April agreement. In the remaining weeks before the elections, Pristina and Belgrade should step up their positive outreach to the local communities in northern Kosovo, both to encourage their participation in the elections and address their questions and concerns. There has been commendable progress in the agreed transition in the local rule of law structures, especially police, in northern Kosovo, with the new regional police command and staff performing ably since their appointment. The Kosovo police, alongside KFOR and EULEX, will play a key role in ensuring a safe and peaceful environment throughout Kosovo during the elections period, where all will be able to exercise their democratic right freely, without intimidation or pressure.

49. Such outreach and engagement will be equally important in the post-election phase, which is likely to bring new challenges and during which future elected representatives will need to continue to engage in support of the implementation of the Belgrade-Pristina agreements and to effectively represent the interests of their constituencies.

50. Progress on the ground towards peace and stability and in the political dialogue will also remain crucial in the light of the aspirations of Serbia and Kosovo towards European integration. Both have taken impressive steps to move closer to this objective, and further progress towards the normalization of relations, guided by the European Union criteria, will continue to be essential.

51. I wish to thank my Special Representative, Farid Zarif, for his dynamic and effective leadership of UNMIK during this time of political change and all the staff of UNMIK for their dedication in carrying out the tasks of the Mission. I extend my gratitude also to our long-standing partners on the ground, including the European Union, EULEX, KFOR and OSCE, and all the members of the United Nations family in Kosovo, for their contributions to peace and stability and their close cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

15 October 2013

Reporting period: 16 July to 15 October 2013

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued to implement its daily monitoring, mentoring and advising activities and executive functions in the Kosovo rule of law sector according to its mandate. In terms of the agreement reached within the European Union-facilitated dialogue on the normalization of relations between Pristina and Belgrade, EULEX continues to facilitate its implementation in the rule of law sector.

The period was defined by the fatal attack on a EULEX convoy near Zvečan/Zveçan on 19 September, in which Audrius Šenavičius, a EULEX customs officer, lost his life. This attack was a serious challenge to all stakeholders in their joint efforts in establishing the rule of law in northern Kosovo. The murder investigation is being carried out by a mixed team of EULEX and Kosovo police investigators under the supervision of two EULEX prosecutors. The case falls under the exclusive jurisdiction of the Special Prosecution Office in Kosovo. Increased security measures are applied in northern Kosovo, but EULEX continues to provide monitoring, mentoring and advising to the Kosovo police in the north.

A highly anticipated verdict was delivered in the high-profile Kleçkë/Klečka war crimes case. All defendants, including former Kosovo Liberation Army Commander and current Member of Parliament Fatmir Limaj, were acquitted owing to lack of evidence. In another case, EULEX judges at the Mitrovica Basic Court sentenced three defendants to 12 years of imprisonment each for war crimes. Detention on remand was extended against the seven war crimes suspects of the so-called Drenica Group. Several indictments and verdicts were pronounced in organized crime cases. The Special Investigative Task Force continued working pursuant to its mandate to investigate allegations contained in the report by the Council of Europe Special Rapporteur, Dick Marty, on illicit trafficking in human organs.

2. EULEX activities, July to October 2013

Murder of Audrius Šenavičius

On 19 September, a EULEX convoy en route to the Rudnica-Jainjë crossing point was attacked near Zvečan/Zveçan by unknown perpetrator(s). The driver of the convoy's second vehicle, Audrius Šenavičius, a EULEX customs officer of Lithuanian nationality, sustained gunshot injuries. He succumbed to his wounds and was declared dead in the northern Mitrovica hospital.

EULEX reacted, with the assistance of KFOR and the Kosovo police, by securing the scene of the incident and immediately initiated an investigation, in cooperation with the Kosovo police and led by the Special Prosecution Office. There was an immediate, strong and very welcome reaction from Belgrade and Pristina making clear on both sides that there could be no place for such violence and that those who had perpetrated this murder had acted not just against EULEX but against their own communities. The authorities also pledged full practical support in finding the perpetrators. The support and condolences of UNMIK colleagues were also very gratefully received.

In the aftermath of the shooting incident and in an attempt to restore public safety and demonstrate determination to fight criminal activities, EULEX organized vehicle checkpoints in a number of targeted areas within northern Kosovo, where formed police units and special police units, together with Kosovo police patrol units carried out the checks. International police officers installed similar vehicle checkpoints in southern Mitrovica in conjunction with Kosovo police patrol units from the Kosovo Police Regional Command South. The public was also engaged, partly through door-to-door interviews by the Kosovo police and the EULEX police in order to support the information gathering on this case.

General

The Joint Rule of Law Coordination Board meeting was held on 24 September. At that meeting, the Board endorsed and approved the publication of the first Compact Progress Report, tracking developments in the capacity development of local institutions between November 2012 and August 2013. A number of amended Compact actions based on jointly agreed rule of law objectives were endorsed and are to be worked on during the months to come. They reflect the results already achieved since the signing of the original Compact agreement between EULEX, the Kosovo authorities and the European Union Office in Kosovo almost a year ago. In addition, a number of road maps were approved for the Department of Forensic Medicine, the Special Chamber of the Supreme Court, war crimes, witness protection, prisoner escort in northern Mitrovica and the Kosovo Property Agency Appeals Panel.

War crimes

EULEX continued its work in the investigation, prosecution and adjudication of war crimes with a number of ongoing cases. On 23 August, a EULEX pretrial judge at Mitrovica Basic Court granted the request of the prosecutor to extend detention on remand for seven defendants of the "Drenica Group" for two months, including the Kosovo representative to Albania, Sylejman Selimi, and the Mayor of Skenderaj/Srbica, Sami Lushtaku.

On 13 September, a panel of three EULEX judges at Mitrovica Basic Court found Sabit Geci, Rrustem Geci and Hetem Geci guilty of war crimes against the civilian population for the murder of Gani Berisha on 18 June 1999 at the Skenderaj/Srbica medical centre. They were sentenced to 12 years of imprisonment each.

On 17 September, a panel of one local and two EULEX judges acquitted the defendants Fatmir Limaj (former Minister of Transport and current Member of Parliament), Arben Krasniqi, Naser Krasniqi, Naser Sha'a, Nexhmi Krasniqi, Behlul

Limaj, Shaban Shala, Sabit Shala, Besim Shurdhaj and Refki Mazreku of war crimes and related offences in the high-profile Kleçkë/Klečka case. The trial panel found the evidence, mainly based on the diary of the late cooperative witness Agim Zogaj, inconsistent and contradictory, and therefore unreliable. Awaiting the written verdict, the EULEX prosecutor has reserved the right to appeal the judgement.

On 25 September, EULEX filed an indictment at Pristina Basic Court against Ivan Radivojević. The defendant is accused of belonging to a group that allegedly participated in violating the bodily integrity and health of approximately 40 Albanian male civilians in Fushë Kosovë/Kosovo Polje in 1999.

On 27 September, a EULEX pretrial judge at Mitrovica held a detention hearing following the arrests on 25 September of two Kosovo Albanians suspected of committing war crimes against the civilian population in relation to the rape and mistreatment of two Kosovo Albanian women during the Kosovo conflict. The judge imposed detention on remand for one month against both suspects.

Organized crime and corruption

On 29 July, a EULEX pretrial judge confirmed several of the charges contained in the indictment against Fatmir Limaj and two of his co-defendants related to the so-called Ministry of Transport, Post and Telecommunications case and decided to proceed with the case at the main trial.

On 22 August, a mixed panel of one local and two EULEX judges delivered a verdict in a migrant smuggling case. Okay Altuntaş, a citizen of Turkey, was sentenced to seven years of imprisonment, while Bujar Fazliu from Kosovo was found guilty on one count of smuggling of migrants and sentenced to three years of imprisonment. The third defendant in the case was acquitted of all charges.

On 11 September, five suspects, including two Kosovo police officers were arrested in Ferizaj/Uroševac, based on an order by a EULEX prosecutor. The arrest warrants were issued based on investigations conducted by the Police Inspectorate of Kosovo and the Kosovo police. The suspects are accused of abuse of official position, accepting bribes, trading in influence, providing assistance to perpetrators after the commission of the offence, causing general danger and extortion.

On 16 September, a mixed team of a EULEX and a local prosecutor filed an indictment at Pristina Basic Court, charging Arben Veseli with, inter alia, organized crime. He is alleged to be responsible for masterminding the trafficking of multiple shipments of heroin from Kosovo to Germany during 2012 in co-perpetration with other dealers as part of an international criminal group. The investigation in Kosovo was conducted by a joint investigation team of EULEX and the Kosovo police in cooperation with the German authorities.

On 27 September, a panel of three EULEX judges at Mitrovica Basic Court announced the verdict against Blerim Gecaj and Hashim Ahmeti. The two defendants were found guilty of smuggling of migrants. Gecaj was sentenced to four years and Ahmeti to two years and three months of imprisonment.

On 7 October, a EULEX pretrial judge at Pristina Basic Court extended detention on remand for Naser Kelmendi until 7 January 2014. Kelmendi was initially arrested by the Kosovo police in May 2013. His arrest was confirmed based

on an order issued by a EULEX prosecutor. The defendant is being investigated for organized crime, murder and drug trafficking.

On 9 October, the Kosovo police, acting on the basis of a decision of a EULEX prosecutor, arrested three Kosovo residents in an operation in Pristina. They are suspected of taking part in armed robberies in Bahrain in September 2013, involving the theft of jewellery worth over 1.1 million euros. The suspects were arrested on charges of aggravated coercion and assault causing grievous bodily harm, and direct participation in an organized group that committed an aggravated robbery. Four house searches were conducted simultaneously. On 10 October, a EULEX judge ordered one month of detention on remand for the three suspects.

Other cases

On 16 July, the cooperative witness in a murder and a war crimes case involving former Kosovo Liberation Army members, Nazim Bllaca, was sentenced to four and a half years of imprisonment for aggravated murder. In another case, on 30 July, the Mitrovica Basic Court sentenced Remzi Hasanaj to eight years and three months of imprisonment for murder.

On 4 September, a mixed team of a EULEX and a Kosovo prosecutor filed an indictment against three Kosovo residents for their involvement in the attack during a launch event of the magazine *Kosovo 2.0* on 14 December 2012 in the Red Hall of the Youth and Sport Centre in Pristina. The defendants are charged with violating equal status of residents of Kosovo, preventing or hindering a public meeting, inflicting light bodily harm, and damage to movable property.

On 17 September, a EULEX presiding judge at Mitrovica Basic Court found a defendant guilty of unauthorized purchase, possession, distribution and sale of dangerous narcotics and psychotropic substances. The accused pleaded guilty at the initial hearing and was sentenced to one year and three months of imprisonment.

On 27 September, a EULEX judge at Mitrovica Basic Court granted the request of a EULEX prosecutor to extend the detention on remand for Žarko Veselinović for one month. Veselinović is suspected of unauthorized possession of a weapon. Further evidence was presented related to the charge of attempted murder of two police officers. The judge therefore considered that the danger of flight remains at a level that warrants a measure of detention on remand.

On 30 September, a EULEX judge at Mitrovica Basic Court extended detention on remand against Ali Hasani until 3 December. The defendant is charged with aggravated murder and unauthorized ownership, control, possession or use of weapons.

Special Investigative Task Force

During the reporting period, the Special Investigative Task Force continued its criminal investigation into allegations of abduction, detention, mistreatment, killings, and organ harvesting and trafficking in Kosovo. These allegations are contained in the January 2011 report authored by the Council of Europe Special Rapporteur Dick Marty, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo".

Engagement with injured parties, victim advocacy groups and individuals in order to gather information relevant to the investigation has continued apace. Cooperation with judicial and law enforcement authorities in the region and beyond remains strong and has led to good progress in investigative and operational activities.

Lead Prosecutor Clint Williamson continued his engagement with Governments in the region and European Union Member States to ensure that the Task Force continues to receive the support and cooperation it needs to complete its investigation. On 10 September, Mr. Williamson was in Bosnia and Herzegovina to meet Minister of Justice Čolak. Discussion focused on how Bosnia and Herzegovina can support the work of the Task Force and Minister Čolak assured Mr. Williamson of his cooperation. In line with the Task Force's strategy to seek information from institutional sources, Mr. Williamson held a meeting at OSCE on 11 September during which he discussed with senior OSCE officials ways in which they can support the Task Force's investigation. On 12 and 13 September, Mr. Williamson was in Rome and held discussions with the Italian authorities on a wide range of issues related to the work of the Task Force. Italian authorities reiterated their full support to the Task Force. Mr. Williamson was also in Slovakia on 30 September, where he met with Deputy Prime Minister and Minister for Foreign and European Affairs Lajčák. Mr. Williamson thanked Minister Lajčák for Slovakia's strong support to the Task Force, while Minister Lajčák reiterated his willingness to assist the Task Force in any way he can.

Property rights

In the area of civil justice, EULEX commissioners of the Kosovo Property Claims Commission continued their work. In the session held during the reporting period, 1,085 cases, mainly inter-ethnic property claims, were adjudicated. The total number of adjudicated claims stands at 39,061, with 3,486 still to be resolved.

From 16 July to 15 October, the Kosovo Property Agency Appeals Panel received 90 new appeals and adjudicated 17 appeals.

During the reporting period, the Special Chamber of the Supreme Court rendered 230 decisions in trial panel cases. The Special Chamber also closed 74 workers list cases and finalized 29 cases at the Appellate Panel level.[1]

Legislation and other legal issues

On 17 September, the President of Kosovo decreed the Law on Amnesty, which was then published in the Official Gazette on 19 September. The law entered into force 15 days after its publication. It is considered imperative for the implementation of the 19 April Agreement.

With regards to the procedures on mutual legal assistance, both parties (Belgrade and Pristina) continue to send requests through EULEX. Since the entry into force of the procedures on 20 March, 1,107 requests were sent from Kosovo to Serbia (the high number is owing to the Special Chamber cases), while 4 requests have been received from Serbia and 1 request has been answered by Pristina.

[1] Figures are available until August 2013 only.

Other key issues

On 16 July, EULEX and the Ministry of Internal Affairs signed an intelligence-sharing agreement. The agreement is aimed at facilitating the sharing of information between the Kosovo police and the EULEX police with the purpose of preventing, detecting and reducing crime in Kosovo. It relates in particular to organized crime, trafficking of human beings, weapons and narcotics, financial crime, high-level corruption and civil unrest.

The north

On 18 September, EULEX conducted a house search related to a drug trafficking case, during which a suspect was arrested and detained for 24 hours.

Increased security measures for staff were applied in northern Kosovo, but EULEX continued providing monitoring, mentoring and advising to the Kosovo police in the north, which was uninterrupted throughout the whole reporting period, with the exception of a short break at the Zubin Potok police station owing to a protest prompted by Kosovo police actions in the area.

On 27 September, EULEX together with the Kosovo police announced a reward of up to €27,500 for information leading to the arrest of the perpetrator, or perpetrators, of the murder of EULEX staff member Audrius Šenavičius.

Dialogue implementation

The implementation of the Belgrade-Pristina dialogue agreement on civil registry books has progressed well. In September, EULEX certified 896 civil registry books over four certification sessions. A total of 8,267 civil registry books have been certified, and 7,808 handed over to the Kosovo authorities, which is roughly two thirds of the estimated total number of books in Serbia. EULEX has emphasized the need to develop a strategic approach to ensure that civil registry books are integrated into the civil status registration process and that potential discrepancies can be detected.

EULEX has conducted spot checks to verify that Ministry of Internal Affairs Special Police stations and courts in the north remain closed. EULEX has also deployed three additional police advisers to northern Mitrovica. The additional advisers will supplement the ongoing monitoring, mentoring and advising for the newly created Kosovo Police Regional Command Team in the north, and in particular the Acting Regional Police Director, Djurić. The decision to send additional personnel constitutes recognition of the special challenges that exist for policing in the north.

As usual, August was the peak season for traffic at the Kosovo crossing points. The system of the common crossing points with Serbia — and the regular meetings between Kosovo and Serbian officers, with the facilitation of EULEX — have led to a decrease in waiting times at the interim common crossing points of up to 10 hours compared with 2012. On the recommendation of EULEX and in line with the integrated border management action plan, both parties introduced eased controls and opened all available lanes at the crossing points. Furthermore, EULEX monitored the checks during the eased controls to ensure that minimum standards are being upheld. In some cases, EULEX provided advice to its counterparts on how to improve controls during peak times.

In the context of the agreement on integrated management of crossing points, meetings of the integrated border management agreement implementation group and customs working group took place in Brussels from 4 to 6 September and 23 to 25 September respectively. EULEX continues to provide monitoring, mentoring and advising to support the implementation of the agreement.

Approved by Bernd Borchardt
Head of Mission

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo (as at 15 October 2013)

Country	*Number*
Croatia	1
Germany	1
Hungary	1
Italy	1
Pakistan	1
Russian Federation	1
Turkey	1
Ukraine	1
Total	**8**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo (as at 15 October 2013)

Country	*Number*
Czech Republic	1
Norway	1
Poland	1
Republic of Moldova	1
Romania	1
Turkey	1
Ukraine	2
Total	**8**